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**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK**

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In re:	:	Chapter 11	
	:		
VICTORY MEMORIAL HOSPITAL, <u>et al.</u> ,	:	Case Nos.:	06-44387-CEC
	:		06-44388-CEC
	:		06-44389-CEC
Debtors.	:		
-----	X	(Jointly Administered)	

ORDER TO SHOW CAUSE

Upon the Motion (the “Motion”) of Victory Memorial Hospital (“Victory Hospital” or the “Debtor”), one of the above-captioned debtors and debtors in possession, pursuant to sections 105, 541, 542(e) and 362(k)(1) the United States Code (the “Bankruptcy Code”), for an order: (i) compelling State University of New York–Downstate Medical Center (“SUNY Downstate”) and Sunset LG Realty LLC (“Sunset”) to turn over property of the estate to the Debtors; (ii) permitting the Debtors to immediately secure such property; (iii) providing for the assistance of the United States Marshal, if necessary, for same; and (iv) awarding the Debtors damages and imposing sanctions; and upon the Local Rule 9077-1 Affidavit of Timothy W. Walsh, dated January 8, 2010; it is hereby

ORDERED, that any party in interest appear and show cause before the Honorable Carla E. Craig, Chief United States Bankruptcy Judge, at the United States Bankruptcy Court, Eastern District of New York, 271 Cadman Plaza East, Brooklyn, New York 11201-1800, on **January 21**, 2010, at **3:00 p.m.** (Prevailing Eastern Time), why an order should not be entered, granting the Motion; and it is further

ORDERED, that opposition to the relief sought in the Motion be in writing, and filed with this Court pursuant to E.D.N.Y. LBR 5005-1, with a chambers copy hand delivered to Judge Craig's chambers, United States Bankruptcy Court, Eastern District of New York, 271 Cadman Plaza East, Brooklyn, New York 11201-1800, and served upon (i) attorneys for the Debtor, DLA Piper US LLP, 1251 Avenue of the Americas, New York, New York 10020, Attn: Timothy W. Walsh; (ii) the Office of the United States Trustee for the Eastern District of New York, 271 Cadman Plaza East, Suite 4529, Brooklyn, New York 11201, Attn.: William Curtin; (iii) the attorneys for the Official Committee of Unsecured Creditors, Alston & Bird LLP, 90 Park Avenue, New York, New York 10016, Attn: Martin G. Bunin, Esq. and Craig E. Freeman, Esq.; (iv) counsel to SUNY Downstate, Hogan & Hartson, 875 Third Avenue, New York, New York 10022, Attn: Jeffrey G. Schneider, Esq.; (v) counsel to Sunset, Frenkel, Hershkowitz & Shafran LLP, 16 East 34th Street, New York, New York 10016, Attn: Joseph M. Hershkowitz, Esq.; and (vi) Office of the Attorney General, 120 Broadway, New York, NY 10271-0332, Attn: Paula Gellman, Assistant Attorney General (collectively, the "Service Parties"), so as to be received by all no later than January 19, 2010 at 5:00 p.m.; and it is further

ORDERED, that the Debtor shall serve a copy of this Order and the Motion upon the Service Parties **and all secured creditors** by facsimile, **(CEC)** hand delivery or overnight mail so as to be received by the Service Parties **and all secured creditors (CEC)**, no later than January **12**, 2010 at **5:00 p.m.** and to all other parties receiving notice, by regular mail as required by Rule 2002 of the Federal Rules of Bankruptcy Procedure.

**Dated: Brooklyn, New York
January 11, 2010**





Carla E. Craig
United States Bankruptcy Judge